

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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GARY LA BARBERA and THEODORE KING, as :
Trustees and Fiduciaries of the Local 282 Welfare :
Trust Fund, the Local 282 Pension Trust Fund, the :
Local 282 Annuity Trust Fund, and the Local 282 :
Job Training Trust Fund, : CV-04-3135 (DRH)(JO)
Plaintiffs, :
- against - :
FCR CONSTRUCTION SERVICES, LLC, :
Defendant. :
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STIPULATION OF DISMISSAL

Pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure, plaintiffs Gary La Barbera and Theodore King, as Trustees and fiduciaries of the Local 282 Welfare Trust Fund, the Local 282 Pension Trust Fund, the Local 282 Annuity Trust Fund, and the Local 282 Job Training Trust Fund, and defendant FCR Construction Services, LLC hereby stipulate to the dismissal with prejudice of all claims stated in the above-captioned action against FCR Construction Services, LLC. This dismissal is without prejudice to any potential withdrawal

liability that might become due to the Local 282 Pension Trust Fund in the event of a withdrawal by FCR Construction Services LLC from the Local 282 Pension Trust Fund.

Respectfully submitted,

Dated: July 15, 2005
New York, NY

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Dated: July 11, 2005
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Attorneys for Defendant

So Ordered this ____ day of _____, 2005:

DENIS R. HURLEY, U.S.D.J.